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Atl. 576. Some English and Irish cases, however, hold that if the electors merely have notice of the facts on which the candidate's ineligibility is based, they are presumed to know the law, and votes cast for such candidate are considered as thrown away. *Trench v. Nolan*, Ir. R. 6 C. L. 464; *Beresford-Hope v. Lady Sandhurst*, 23 Q. B. D. 79. See *Drinkwater v. Deakin*, L. R. 9 C. P. 626. Cf. *The Queen v. Mayor of Tewkesbury*, L. R. 3 Q. B. 629. In the United States, however, votes cast for an ineligible candidate are not considered as nullities unless the electors are aware not only of the facts creating the disqualification but also of the law which makes the facts operate to disqualify. *People ex rel. Furman v. Clute*, 50 N. Y. 451; *Woll v. Jensen*, 36 N. D. 250, 162 N. W. 403; *Sanders v. Rice*, 102 Atl. 914 (R. I.). *Contra Gulick v. New*, 14 Ind. 93. Cf. *State ex rel. Clawson v. Bell*, 169 Ind. 61, 82 N. E. 69. Under the primary law in the principal case, the candidate who was duly affiliated with the Republican party could become Democratic nominee only if he also became Republican nominee. Nevertheless, at the time the votes were cast, the candidate in question was conditionally eligible and so, it seems, the court properly treated the votes cast for the highest candidate as effective to prevent the election of the next highest candidate. See 24 HARV. L. REV. 393.

INJUNCTIONS — INTERFERENCE WITH EMPLOYMENT. — The plaintiff sought to restrain a Local Draft Board from certifying him for military service, claiming as a basis for equity jurisdiction, that the interruption of his employment would deprive him of a property right. *Held*, that the right of employment is in no sense a property right. *Bonifaci v. Thompson*, 252 Fed. 878 (Dist. Ct. W. D. Wash. N. D.).

In labor controversies, one's employment is considered a property interest and an interference may be enjoined at the instance of the employee, though there be no contract of employment. *Erdman v. Mitchell*, 207 Pa. St. 79, 56 Atl. 327; *Fairbanks v. McDonald*, 219 Mass. 291, 106 N. E. 1000. Further, it has been held unconstitutional for a statute to provide that the right to do work as an employee shall be construed to be a personal and not a property right. *Bogni v. Perrotti*, 224 Mass. 152, 112 N. E. 853. Had the plaintiff been pursuing some occupation, an interference would also warrant an injunction.

Grannan v. Westchester Racing Assn., 16 App. Div. 8, 44 N. Y. Supp. 790. The plaintiff may have held a public office, in which case no property interest would be involved. *Butler v. Pa.*, 10 How. (U. S.) 402. But to insist that the right to an employment in general is not based on a property interest seems to be placing too narrow a construction on the term "property." See Pound, "Equitable Relief Against Defamation and Injuries to Personality," 29 HARV. L. REV. 640. The decision, however, may be upheld on the ground that the court would not interfere with a board exercising functions under another department of the government.

JUDGMENTS — *RES ADJUDICATA* — JURISDICTION — DIVERSITY OF CITIZENSHIP. — The county of X in Missouri issued certain bonds. Y, a citizen of another state, sued on the bonds in a federal court, though the real owners were citizens of Missouri. Y secured judgment and kept it alive by subsequent judgments thereon. The last judgment was assigned to the relators, who applied for a writ of mandamus to compel the county judges to levy for and pay the last judgment. The defendants claim the judgments are void because of the colorable diversity of citizenship. *Held*, the writ will issue. *Bunch v. United States*, 252 Fed. 673 (C. C. A., 8th Circuit, Mo.).

In a second suit between the same parties, and on the same cause of action, every matter which had or might have been offered as a defense is ren-